

**UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
EUGENE DIVISION**

UNITED STATES OF AMERICA

6:13-CR- 178-AA

Plaintiff,

v.

CHARLES THORNTON,

Defendant.

INDICTMENT

[18 U.S.C. §§ 2, 371, 922(a)(6) and
922(g)(1)]

UNDER SEAL

THE GRAND JURY CHARGES:

COUNT 1

**(Conspiracy to Make False Statements in Connection
With the Acquisition of Firearms)**

From on or about August 2008 through on or about October 2008, in the District of Oregon and elsewhere, the defendant **CHARLES THORNTON**, did unlawfully and knowingly conspire, combine, confederate, and agree with E.A. and other individuals both known and unknown to the grand jury to commit the following offense: in connection with the acquisition and attempted acquisition of firearms from federally licensed firearms dealers, knowingly and intentionally making a false oral or written statement intended or likely to deceive the dealer, as to a fact material to the lawfulness of such acquisition of firearms, to wit: falsely representing the identity of the actual buyer of the firearms, in violation of Title 18, United States Code, Section 922(a)(6).

Overt Acts

In furtherance of the conspiracy, and to accomplish the objectives thereof, the following overt acts, among others, were committed in the District of Oregon and elsewhere:

1. On or about August of 2008, **CHARLES THORNTON** recruited E.A. to purchase and sign for firearms for **CHARLES THORNTON** in exchange for crack cocaine.

2. From on or about August of 2008 to October 8, 2008, E.A. purchased approximately 35 firearms for **CHARLES THORNTON** and other individuals both known and unknown to the grand jury, and received crack cocaine in exchange for the majority of these purchases.

3. On or about August 29, 2008, **CHARLES THORNTON** gave E.A. money to purchase a firearm for him. E.A. thereafter purchased a Hi-Point .45 caliber pistol from a Federally Licensed Firearms Dealer ("FFL") called Good Guys Guns. In so doing, E.A. falsely represented on the ATF Form 4473 that she was the actual purchaser of the firearm and that she was not an unlawful user of controlled substances.

4. On or about August 29, 2008, **CHARLES THORNTON** gave E.A. crack cocaine in exchange for the firearm purchased that day.

5. On or about September 8, 2008, **CHARLES THORNTON** gave E.A. money to purchase firearms for him. E.A. thereafter purchased two Hi-Point pistols – a .45 caliber and a 9mm – from Good Guys Guns. In so doing, E.A. falsely represented on the ATF Form 4473 that she was the actual purchaser of the firearm and that she was not an unlawful user of controlled substances.

6. On or about September 8, 2008, **CHARLES THORNTON** gave E.A. crack cocaine in exchange for the firearms purchased that day.

7. On or about September 10, 2008, **CHARLES THORNTON** gave E.A. money to purchase a firearm for him. E.A. thereafter purchased one Taurus .45 caliber pistol from FFL Southern Oregon Pawn. In so doing, E.A. falsely represented on the ATF Form 4473 that she was the actual purchaser of the firearm and that she was not an unlawful user of controlled substances.

8. On or about September 10, 2008, **CHARLES THORNTON** gave E.A. crack cocaine in exchange for the firearm purchased that day.

9. On or about September 11, 2008, **CHARLES THORNTON** gave E.A. money to purchase firearms for him. E.A. thereafter purchased two Hi-Point pistols – a .45 caliber and a 9mm – from FFL Jackson County Armory. In so doing, E.A. falsely represented on the ATF Form 4473 that she was the actual purchaser of the firearms and that she was not an unlawful user of controlled substances.

10. On or about September 11, 2008, **CHARLES THORNTON** gave E.A. crack cocaine in exchange for the firearms purchased that day.

11. On or about September 22, 2008, E.A. purchased seven firearms for **CHARLES THORNTON** – all 9mm, .40 caliber, and .45 caliber pistols – from FFLs Pawn Plus, Russco Guns, Northwest Cash & Pawn, and Big R. In so doing, E.A. falsely represented on the ATF Forms 4473 that she was the actual purchaser of the firearms and that she was not an unlawful user of controlled substances.

12. On or about September 22, 2008, **CHARLES THORNTON** went into FFL Big R with E.A. to purchase firearms and, while in the store, gave E.A. money to purchase firearms.

13. On or about September 22, 2008, **CHARLES THORNTON** gave E.A. crack cocaine in exchange for the firearms purchased that day.

14. On or about October 8, 2008, **CHARLES THORNTON** gave E.A. money to purchase a firearm for him. E.A. thereafter purchased one Glock 9mm pistol from FFL Southern Oregon Pawn. In so doing, E.A. falsely represented on the ATF Form 4473 that she was the actual purchaser of the firearm and that she was not an unlawful user of controlled substances.

15. On or about October 8, 2008, after E.A. purchased the Glock 9mm pistol, **CHARLES THORNTON** and others known and unknown to the grand jury drove in a Kia Rio to FFL Jackson County Armory and purchased three 33-round magazines for a Glock 9mm pistol.

16. On or about October 8, 2008, **CHARLES THORNTON** gave the Glock 9mm pistol back to E.A. because **CHARLES THORNTON** and E.A. noticed that they were being followed by vehicles they suspected to be law enforcement.

17. Sometime between August and October of 2008, **CHARLES THORNTON** discussed with E.A. how they could file a false report about the firearms being stolen if law enforcement ever became suspicious.

18. On or about October 13, 2008, E.A. falsely reported to the Medford Police Department that the firearms E.A. had recently purchased had been stolen from her home while she was out of town.

In violation of Title 18, United States Code, Section 371.

COUNTS 2-6
(False Statements in Connection
With the Acquisition of Firearms)

On or about the dates listed below, in the District of Oregon, the defendant, **CHARLES THORNTON**, in connection with the acquisition of the firearms listed below from the federally

licensed firearms dealers listed below, did knowingly and intentionally make a false oral or written statement intended or likely to deceive the licensed firearms dealer as to a fact material to the lawfulness of the acquisition of the firearms listed below, in that **CHARLES THORNTON** represented, and aided and abetted E.A. in representing, that E.A. was the actual purchaser of the firearm(s) when in fact, E.A. was acquiring the firearm(s) on behalf of **CHARLES THORNTON**, in violation of Title 18, United States Code, Sections 2 and 922(a)(6).

Count	Date	Firearms Dealer	Firearm(s)
2	9/22/2008	Pawn Plus LLC	•Ingram 9mm pistol, serial number S450592
3	9/22/2008	Russco Guns	•Taurus .45 caliber pistol, serial number NXD68161
4	9/22/2008	Northwest Cash & Pawn Inc GP	•Springfield 9mm pistol, serial number US803362
5	9/22/2008	Big R-Big Tyrholm R Inc.	•Hi-Point .45 caliber pistol, serial number 494044; •Hi-Point .40 caliber pistol, serial number X773795; •Hi-Point .40 caliber pistol, serial number X773794; •Hi-Point 9mm pistol, serial number P1423699
6	10/8/2008	Southern Oregon Pawn	•Glock 9mm pistol, serial number KTN145

COUNTS 7-11
(Felon in Possession of a Firearm)

On or about the dates listed below, in the District of Oregon, the defendant, **CHARLES THORNTON**, having been previously convicted of a crime punishable by imprisonment for a term exceeding one year, specifically:

- (1) Possession of a Controlled Substance, in the Superior Court of California, County of Alameda, Case Number 463936, on or about March 15, 2001; and
- (2) Possession of Marijuana for Sale, in the Superior Court of California, County of Alameda, Case Number 132290, on or about April 9, 1998;

did knowingly and unlawfully possess the following firearms:

Count	Date	Firearm(s)
7	9/22/2008	•Ingram 9mm pistol, serial number S450592
8	9/22/2008	•Taurus .45 caliber pistol, serial number NXD68161
9	9/22/2008	•Springfield 9mm pistol, serial number US803362
10	9/22/2008	•Hi-Point .45 caliber pistol, serial number 494044; •Hi-Point .40 caliber pistol, serial number X773795; •Hi-Point .40 caliber pistol, serial number X773794; •Hi-Point 9mm pistol, serial number P1423699
11	10/8/2008	•Glock 9mm pistol, serial number KTN145

which firearms had previously been shipped or transported in interstate or foreign commerce;
all in violation of Title 18, United States Code, Section 922(g)(1).

FORFEITURE ALLEGATION

Upon conviction of any of the offenses alleged in Counts 1-11 of this Indictment, defendant shall forfeit to the United States pursuant to Title 18, United States Code, Section 924(d), and Title 28, United States Code, Section 2461(c), all firearms involved in those offenses, including without limitation all firearms set forth above.

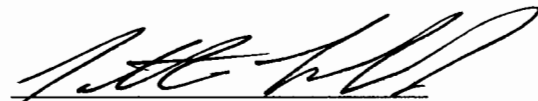
Dated this 17th day of April, 2013.

A TRUE BILL.


GRAND JURY FOREPERSON

Presented by:

S. AMANDA MARSHALL
United States Attorney


NATHAN J. LICHVARCIK
Assistant United States Attorney